JL

Dear Phil,

2/14/85

The timing of your 2/12 is fine. I've gotta keep the legs up for a while, which I do when typing, and there's enough time before lunch to respond. (Had to put Old Faithful in the garage for a little front-end work, which delayed my getting home.)

You are correct, David isn't in the U.S. I don't know much about it but here is what I know. Somehow Bud represents him, Bud was out of the country when his office learned that the U.S. was about to send him back to France, so Jim and abother in the office tried to make the system of justice work, without success. Jim explained a delay in something else by telling me this. The government gave Jim and the other person a runaround when they went to New York and didn't get to see David, and then Jim saw Paris Match, which had a picture of the shackled David deplaning, in sun glasses and bandaids on his face. The only thing else I know comes from a rather fine filing Bud gave some court that I read, detailing the history of David's forcible deportation from Brazil to the US, etc.

With regard to the FBI and the critics, first of all, its interest is not limited to the 2 or 3 whose work hurts it most and second of all, I do not believe that they made a careful analysis of the better works. I'll try to explain.

Illustrating the first point, they have an enormous amount on the nutty engineer Thomsen. It is grist for their mill to have such corse stuff to grind so fine. They can anticipate a wide variety of uses and they are prepared. One is that they can equate all with that kind of paranoia.

It simply isn't possible that the HQ people did not know the actualities. They know their business and they know the deficiencies in what they did. They know very well what they should have done and didn't do. Their interest is limited, first to covering the Bureau's ass and then, individuals, to cover their own. Sometimes a smarty can make both coincide, as I'll illustrate. Because of what they do know they do not want their files to hold a self-indictment and thus I believe they would avoid something like an analysis of my books. Rather would they look for a sample they could pretend is characteristic, one of their methods. When they could not find one they merely made things up, pontificating, beating their chests and backs in self-adulation at the same time. I think I referred to an illustration you may want to see when you are here, of something they could not avpid. Hoover had to be right all the time, no matter how wronf he was. So when he was wrong about trees on Houston they convinced him he was right because there are, after all, trees on Elm. And he was content.

From the records I've seen they spent more time convincing themselves and others that I was a dangerous red, based on fabrications and distortions mixed with omissions, than in even mention of my work, other than in genralized characterization of it that also isn't true.

At the same time I think it is necessary to understand that there is a good probability they have a considerable amount of information hidden by the means of filing, like under 94 or "Research Matters." You may want to keep this classification in mind re RFK stuff. In the field o fices, likely under 80, but with the probability that individual files on critied and their organizations under 100 or 105. They can thus search and come up with nothing by avoid file classifications they can describe as unrelated and irrelevant. (94 is also used for press and people in it, lobbying, wtc. Also, I think, for some Hoover files.) So we really do not know what they have and I am only guessing that there is information filed as indicated above.

Now, what <u>could</u> they do about my handling of Shaneyfelt and what is related in my second book? There is no error in it and there is no way they could analyze an error into it. All they could do in any such effort, if ever distributed, is call attention to themselves and what I report. So the Lab, perhaps Shaneyfelt personally,

solved thei problem. Shaneyfelt wrote a memo to his boss, complete with all their pet lingo, like "diabolical and vitriolic" to describe my writing (Hoover must have favored those words, they are used that often) and he proposed that the fair name of the FBI be protected by his filing a libel action against me, if the FBI would like him to. (Thus he laso displayed his loyalty.) That would "stop" me, his word also used by SA Marion Williams, who is specific in using it with regard to my writing. The Lab boss bucked the memo to Legal Cpunsel, where shortly there emerged a memo holding that Shaneyfelt is not a public person in the sense of legal decisions like the Times case, and thus the FBI could sue me through him. They as I recall seemed to recommend this. They did not inquire into fact. They made no effort to learn if my writing is accurate. Their approval was bucked upward, where it also was well received, only Tolson thought it ought to be left up to their dedicated, loyal, self-sacrificing Shaneyfelt. Hoover OKed Tolson, so it get back to Shaneyfelt.

You know very well that Shaneyfelt was not about to have his work and its accuracy examined in public in a court of law. I don't know about Hoover and Tolson, but I'm inclined to believe that others also were well aware of this, certainly in the Lab. So, Shaneyfelt goes through a long reasoning on paper in which he concludes (as he knew at the outset) that any litigation might, in fact, help me by promoting the sale of the book and thus call my allegedly unfair criticism of the flawless FBI to more public attention than it would otherwise get and maybe it would, after all, be better for the FBI if they just dropped it instead of suing.

Shaneyfelt, an old timer, also knew at the outset that Hoover was just horrified at any thought of the FBI involved in civil litigation, as Sullivan's book makes clear.

So nothing more happened and they had all these nice, oncesided records to flash around internally if they were ever asked about what I wrote, as I'm sure they never were. Shaneyfelt has protected himself and the FBI in the way they like, he was off the hook, internally they were off the hook, the best of possible worlds.

How did he persuade those who read his initial memo that I'd done all those terrible things to him? He misrepresented one of the things I wrote, pretending that I had told the world that he, not the Commission, was in charge of its reconstruction of the crime. I referred only to the photographic reenactment, and he was in charge of that. But it was easy to make all the others believe that I'd said what I had not and they had no trouble understanding that the Commission was in charge of the Commision's work.

This represents standard FBI operating proeedure and political practise.

It is heavy-handed, outrageous, indecent, and for them it works. They can get away with anything if they can make any kind of showing, and their internal records are created with that in mind.

Given their vulnerability with regard to the assassination, my hunch is that they are as prepared as their think they may need to be, their own way.

Best,